



JC14 Rec'd PCT/PTO 16 MAY 2002

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Martin Sagasser et al.

Serial No.: 10/030,386

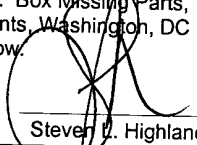
Filed: January 2, 2002

For: PLANTS WITH MODIFIED GENE  
EXPRESSION

Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: DEBE:005US/SLH

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| CERTIFICATE OF MAILING<br>37 C.F.R. 1.8  |  |
| I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date below. |  |
| May 13, 2002   |  |
| Date   |  |
|  | Steven L. Highlander   |

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.  
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

**BOX MISSING PARTS**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), dated April 1, 2002, there are enclosed herewith:

- (a) Declaration executed on behalf of Martin Sagasser, Bernd Weisshaar and Koen Dekker;
- (b) A Power of Attorney on behalf of MAX-PLANCK-GESELLSCHAFT ZUR FÖRDERUNG DER WISSENSCHAFTEN E.V.;

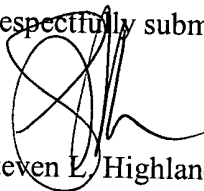
- (c) Our check in the amount of \$65.00 to cover the surcharge for late filing; and
- (d) A copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US).

An Assignment to MAX-PLANCK-GESELLSCHAFT ZUR FÖRDERUNG DER WISSENSCHAFTEN E.V. and a check for \$40.00 are being filed under separate cover.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10112605/SLH.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



Steven L. Highlander  
Reg. No. 37,642  
Attorney for Applicants

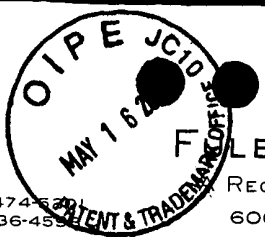
FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
(512) 474-5201

Date: May 13, 2002

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16 MAY 2002

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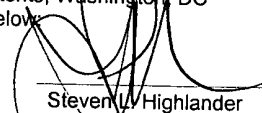
TELEPHONE: 512/474-5201  
FACSIMILE: 512/536-4555REGISTERED LIMITED LIABILITY PARTNERSHIP  
600 CONGRESS AVENUE, SUITE 2400  
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May 13, 2002

FILE: DEBE:005US

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| May 13, 2002   |  |
| Date   | Steven L. Highlander  |

**BOX MISSING PARTS**Commissioner for Patents  
Washington, DC 20231RE: *U.S. Patent Application No. 10/030,386 entitled "PLANTS WITH MODIFIED GENE EXPRESSION" – Martin Sagasser et al. (Client reference: GI-001 PCT/US BB/ha)*

Sir:

Please find enclosed:

- (1) A Response to Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed April 1, 2002;
- (2) Declaration;
- (3) Power of Attorney;
- (4) Copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US);
- (5) Information Disclosure Statement;
- (6) Form PTO-1449;
- (7) References A1, B1-B6 and C1-C17;
- (8) Check in the amount of \$65.00; and

Commissioner for Patents

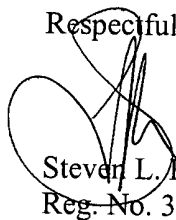
May 13, 2002

Page 2

- (9) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10112605/SLH.

Respectfully submitted,



Steven L. Highlander  
Reg. No. 37,642

SLH/mar

Encl: as noted



UNITED STATES PATENT AND TRADEMARK OFFICE

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 United States Patent and Trademark Office  
 Washington, D.C. 20231  
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|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/030,386                  | Koen Dekker           | DEBE:005US       |

|                               |               |
|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. |               |
| PCT/DE00/02233                |               |
| I.A. FILING DATE              | PRIORITY DATE |
| 07/03/2000                    |               |

 Steven L Highlander  
 Fulbright & Jaworski  
 600 Congress Avenue Suite 2400  
 Austin, TX 78701

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|---|
| RECEIVED  |
| Date(s) Docketed: 6/1/02 missing parts due; 11/1/02 final |
| APR 08 2002   |
| Client: DEBE:005US  |
| Attorney(s): S.H.   |
| Initials: [Signature]                                     |

|                        |
|------------------------|
| CONFIRMATION NO. 2267  |
| 371 FORMALITIES LETTER |
| OC00000007744558*      |

Date Mailed: 04/01/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- A* • Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

LAMONT M HUNTER

Telephone: (703) 305-3686

PART 2 - OFFICE COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/030,386                  | PCT/DE00/02233                | DEBE:005US       |

FORM PCT/DO/EO/905 (371 Formalities Notice)